



**EPA Response to Maryland November 12th WIP Text Submissions**

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antos.katherine, Dawson, Frank W., Jon

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Cc: Mike Fritz

Hi Bob,

I want to thank you and your staff for providing additional Phase I Watershed Implementation Plan (WIP) language that addresses some of the concerns that we raised in our November 8 meeting with you and the Maryland WIP Team and in other communications since that meeting. I also want to reiterate my appreciation for the collaborative work that continues today between the Maryland WIP Team and the EPA WIP Evaluation Team. I am pleased to report that EPA is seeing marked improvements in the most of the states' WIP narratives and input decks that we have reviewed in recent weeks. Many of the states' input decks are now meeting or coming much closer to the July 1 and August 13 nutrient and sediment allocations. Revised WIP narratives are demonstrating reasonable assurance for sectors that did not previously meet many of EPA's expectations. These improvements mean that EPA should be in the position to relax or backstop allocations for some jurisdictions in the final TMDL. However, EPA will not be able to remove all backstop allocations based on a lack of reasonable assurance until some key improvements in certain sectors are addressed.

Also, I am encouraged by the email exchange between Chuck Fox and Secretary Wilson that occurred yesterday in which Secretary Wilson indicated that the Governor's Bay Cabinet and the Maryland WIP Team are actively focused on clarifying gap-closing strategy commitments for inclusion in the final WIP. With respect to the wastewater sector, we are satisfied with the supplemental language that you provided on November 12. However, with respect to the urban stormwater and agriculture sectors, we still have some outstanding concerns in terms of reasonable assurance and contingencies, which is detailed in the attached summary. However, I believe that it is still possible that these can be resolved in Maryland's final Phase I WIP.

Please do not hesitate to contact me, Mike Fritz or members of the WIP evaluation team if you wish to discuss further. We look forward to reviewing your final WIP on November 29.



November 19 MD WIP Comments.doc

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